

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
SE/S Graystone Road, 150' +/-		
SW of centerline of Old York Road	*	DEPUTY ZONING COMMISSIONER
7 th Election District		
3 rd Councilmanic District	*	OF BALTIMORE COUNTY
19705 Graystone Road		
	*	CASE NO. 99-431-XA
Donald L. Kincaid & Diane L. Miller		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for special exception and variance filed by the legal owners of the subject property, Donald L. Kincaid and Diane L. Miller. The Petitioners' request involves property located at 19705 Graystone Road located in the northern area of Baltimore County. The property is zoned R.C.2. The special exception request is for a kennel to house personal hunting beagles. In addition to the special exception request, a variance is being requested from Section 421.1 to allow the kennel to be located within 14 ft. of a property line in lieu of the required 200 ft.

Appearing at the hearing on behalf of the request were Donald Kincaid and Diane Miller, property owners. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this request, consists of 3 acres, more or less, zoned R.C.2. The subject property is located on the east side of Graystone Road, south of its intersection with Old York Road. The subject property is improved with a dwelling and a 4 ft. x 20 ft. accessory building, wherein six adult beagles are housed. Mr. Kincaid testified that he has kept beagles on the property since 1984. He has always had six or seven adult beagles at any given time on the property. These dogs are his personal dogs and no member of the general public has been permitted to store dogs on the subject property. Mr. Kincaid is not requesting permission to operate a public kennel. He raises beagles for hunting purposes

ORDER RECEIVED FOR FILING

Date

6/28/99

By

R. J. [Signature]

only. Occasionally, the beagles will give birth to a litter of pups, at which time Mr. Kincaid offers the puppies for sale.

Furthermore, Mr. Kincaid offered into evidence affidavits of his adjacent property owners, all of whom support him in his special exception request. He also submitted photographs of the property, which give a clear understanding of the layout of the subject site. It should also be noted that no one appeared in opposition to his request.

It is clear the Baltimore County Zoning Regulations (B.C.Z.R.) permits the use proposed in an R.C.2 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the Baltimore County Zoning Regulations. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone.

Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted.

ORIGINAL RECEIVED FOR FILING
DATE 6/28/99
BY J.R. GANES

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973).

To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the special exception and variance should be granted.

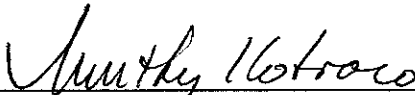
THEREFORE, IT IS ORDERED this 28th day of June, 1999, by this Deputy Zoning Commissioner, that the Petitioners' Petition for Special Exception request for a kennel and variance relief to permit the kennel to be located within 14 ft. of a property line in lieu of the required 200 ft., be and is hereby APPROVED, subject to the following restrictions:

CASE FILED FOR FILING

Date

By

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner shall be permitted to house up to and including 10 adult dogs on the subject property.
- 3) The Petitioner shall be prohibited from operating a public kennel on the subject property.
- 4) The special exception granted herein shall be for the use and benefit of Mr. Donald Kincaid and Ms. Diane Miller, the Petitioners herein. The special exception approval shall not be transferable to any purchaser of the subject property.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

CARDEN RECEIVED FOR FILING

DATE

6/28/99

BY

R. Ganeson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 28, 1999

Mr. Donald L. Kincaid
Ms. Diane L. Miller
19705 Graystone Road
White Hall, Maryland 21151

RE: Petitions for Special Exception & Variance
Case No. 99-431-XA
Property: 19705 Graystone Road

Dear Mr. Kincaid & Ms. Miller

Enclosed please find the decision rendered in the above-captioned case. The Petition for Special Exception and Variance have been granted, with restrictions, in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an Appeal, please feel free to contact our Appeals Clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 19705 GRAYSTONE RD.

which is presently zoned R. C. 2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A KENNEL

TO HOUSE PERSONAL HUNTING BEAGLES.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

DONALD L. KINCAID

Name - Type or Print

Donald L. Kincaid

Signature

DIANE L. MILLER

Name - Type or Print

DIANE L. MILLER

Signature

19705 GRAYSTONE RD 343-1302

Address

Telephone No.

WHITE HALL, MD.

21161

City

State

Zip Code

Representative to be Contacted:

DONALD L. KINCAID

Name

410-

19705 GRAYSTONE RD. 343-1302

Address

Telephone No.

WHITE HALL, MD.

21161

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By gcm

Date

4-29-99

Case No. 99-2431-XA

REV 09/15/98

ORDER RECEIVED FOR FILING
6/28/99
BY



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 19705 GRAYSTONE RD.

which is presently zoned R.C.2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 421, 1., BC2R, TO PERMIT

A KENNEL (DOG RUN) WITHIN 14 FT. OF A PROPERTY LINE IN LIEU OF THE REQUIRED 300 FT.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

TO BE PRESENTED AT HEARING.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

DONALD L. KINCAID

Name - Type or Print

Donald L. Kincaid

Signature

DIANE L. MILLER

Name - Type or Print

Diane L. Miller

Signature

19705 GRAYSTONE RD 343-1302

Address

Telephone No.

WHITE HALL, MD.

City

State

21161

Zip Code

Representative to be Contacted:

DONALD L. KINCAID

Name

19705 GRAYSTONE RD 343-1302

Address

Telephone No.

WHITE HALL, MD.

City

State

21161

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By J. Kim

Date 4-29-99

Case No. 99-431XA

REV. 9/15/98

● Zoning Description ●
19705 GRAYSTONE RD.

BEGINING ON A POINT ON THE SOUTHEAST SIDE
OF GRAYSTONE RD., WHICH IS 40ft. WIDE AT
A DISTANCE OF 1500ft. SOUTHWEST OF THE
CENTERLINE OF OLD YORK RD., WHICH IS 50ft.
WIDE.

11-12 2-2

431

99-431-XA

EXHIBIT "A"

BEGINNING FOR THE SAME at a concrete monument found at the end of the 8th or North 59 1/2 degree East 25 perches line of parcel #1 of a Deed from Sarah Small Stroud Merryman to Emilo Alecci and John Alecci dated February 29, 1980 and recorded among the Land Records of Baltimore County in Liber 6140 (erroneously referred to previously as 6410), folio 578, thence (1) running with all of the remaining lines of the said parcel #1 as now surveyed by T & T Surveying, Inc., North 08 degrees 04 minutes 00 seconds West 527.91 feet to a concrete monument found, thence (2) North 56 degrees 48 minutes 20 seconds West 221.28 feet to an axel found, thence (3) North 44 degrees 30 minutes 00 seconds West 102.74 feet to the center of Graystone (previously misspelled as Greystone) Road, thence (4) running with the center of said road North 72 degrees 59 minutes 34 seconds East 26.83 feet thence (5) South 44 degrees 30 minutes 00 seconds East 89.53 feet, thence (6) South 56 degrees 48 minutes 20 seconds East 221.10 feet to a fence post, thence (7) South 49 degrees 55 minutes 05 seconds East 630.00 feet to an iron pipe set in the last or South 53 3/4 East 74.3 perches line of the aforementioned deed, thence (8) for a new line of a division now made, South 72 degrees 27 minutes 51 seconds West 445.15 feet to the place of beginning. **Containing 3.003 acres of land, more or less. The improvements thereon being known as No. 19705 Graystone (previously misspelled as Greystone) Road.**

Subject to the rights of others in and to so much of the property that lies within a road or right of way described in a deed dated September 11, 1940 and recorded in Liber No. 1249, folio 480.

431

44-431-XA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

431

No. 066468

DATE 4-29-99 ACCOUNT Rec-6150

AMOUNT \$ 550.00

RECEIVED FROM: D. KINCAID 19705
(040) VANANNE
FOR: (040) SPEN. E.K. Rayson Pa.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

XM

CASHIER'S VALIDATION

PAID RECEIPT
PROCESS ACTION
DATE 4/29/1999
BY 5528 ZIMMERMAN, DEB
CHECK # 105589
CP NO. 066468
Rec'd for
\$550.00 OK
Baltimore County, Maryland

BALTIMORE COUNTY, MARYLAND AND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

431

No. 066468

DATE 4-29-99 ACCOUNT Rec-6150

AMOUNT \$ 550.00

RECEIVED FROM: D. KINCAID 19705
(040) VANANNE
FOR: (040) SPEN. E.K. Rayson Pa.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

XM

CASHIER'S VALIDATION

PAID RECEIPT
PROCESS ACTION
DATE 4/29/1999
BY 5528 ZIMMERMAN, DEB
CHECK # 105589
CP NO. 066468
Rec'd for
\$550.00 OK
Baltimore County, Maryland

99.431-XA

CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/27, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/27, 1999.

THE JEFFERSONIAN,

S. Wilkins

PRINTED AND PUBLISHED BY

<p>NOTICE OF ZONING HEARING</p> <p>The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Room 407, County Courts Bldg., 407 Bessley Avenue, on the property identified herein as follows:</p> <p>Case: #98-431/VA 18708 Graystone Road 8558 Graystone Road, 150' +/- SW of Centeline Old York Road 7th Election District 3rd Councilmanic District Legal Owner(s): Donald L. Kincaid & Diana L. Miller Special Exception: for a kennel</p> <p>Variance: to permit a kennel (dog run) within 14' feet of a property line in lieu of the required 200 feet.</p> <p>Hearing: Wednesday, June 16, 1999 at 2:00 p.m. in Room 407, County Courts Bldg., 407 Bessley Avenue.</p> <p>LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County</p> <p>NOTES: (1) Hearings are handicapped accessible for special accommodations. Please contact the Zoning Commissioner's Office at (410) 887-4386. (2) For information concerning the file and/or hearing, contact the Zoning Review Office at (410) 887-3391.</p>	
5/448 May 27	0316198

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: _____

431

Petitioner: DONALD L. KINCAID

Address or Location: 19705 GRAYSTONE RD. WHITEHALL, MD. 21161

PLEASE FORWARD ADVERTISING BILL TO:

Name: DONALD L. KINCAID

Address: 19705 GRAYSTONE RD.
WHITE HALL, MD. 21161

Telephone Number: 410-343-1302

Revised 2/20/98 - SCJ

99.431-XA

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-431-XA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: A SPECIAL EXCEPTION TO PERMIT A DOG KENNEL
AND A VARIANCE TO PERMIT A KENNEL (DOG RUN)
WITHIN 14ft. of A ~~PA~~ PROPERTY LINE IN LIEU
OF THE REQUIRED 20ft.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

May 14, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-431-XA
19705 Graystone Road
SE/S Graystone Road, 150' +/- SW of centerline Old York Road
7th Election District – 3rd Councilmanic District
Legal Owner: Donald L. Kincaid & Diane L. Miller

Special Exception for a kennel. Variance to permit a kennel (dog run) within 14 feet of a property line in lieu of the required 200 feet.

HEARING: Wednesday, June 16, 1999 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: Diane Miller & Donald Kincaid

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JUNE 1, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
May 27, 1999 Issue – Jeffersonian

Please forward billing to:

Donald L. Kincaid 410-343-1302
19705 Graystone Road
White Hall, MD 21161

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-431-XA

19705 Graystone Road

SE/S Graystone Road, 150' +/- SW of centerline Old York Road

7th Election District – 3rd Councilmanic District

Legal Owner: Donald L. Kincaid & Diane L. Miller

Special Exception for a kennel. Variance to permit a kennel (dog run) within 14 feet of a property line in lieu of the required 200 feet.

HEARING: Wednesday, June 16, 1999 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 11, 1999

Mr. Donald L. Kincaid
19705 Graystone Road
White Hall, MD 21161

RE: Case No.: 99-431-XA
Petitioner: Kincaid
Location: 19705 Graystone Rd.

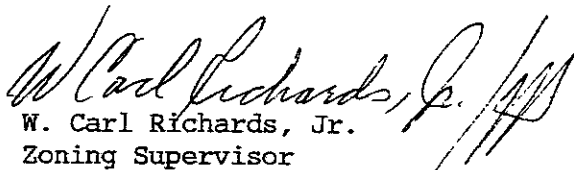
Dear Mr. Kincaid:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on April 29, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us





**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

MAY 7 1999

Attn: Robert, Director
Public Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP 1005

RE: BOSTON FIRE DEPT. - SEE BELOW

RE: BOSTON FIRE DEPT. MEETING OF APRIL 13, 1999

RE: BOSTON FIRE DEPT. - SEE BELOW

RE: BOSTON FIRE DEPT. - SEE BELOW

RE: BOSTON FIRE DEPT. - SEE BELOW

RE: BOSTON FIRE DEPT. - SEE BELOW

RE: BOSTON FIRE DEPT. - SEE BELOW

431

RE: BOSTON FIRE DEPT. - SEE BELOW

RE: BOSTON FIRE DEPT. - SEE BELOW

RE: BOSTON FIRE DEPT. - SEE BELOW



B A L T I M O R E C O U N T Y , M A R Y L A N D

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: May 17, 1999

FROM: *Qub* Robert W. Bowling, Supervisor
 Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for May 17, 1999
 Item Nos. 423, 424, 425, 427, 429,
 431, 432, and 433
 (Item Nos. 426 and 434 were BLANK.)

 The Bureau of Development Plans Review has reviewed the subject
zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

ZAC05179.NOC

Jim
6/16

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: May 10, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):
Item No (s): 431

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
19705 Graystone Road, SE/S Graystone Rd,
150' +/- SW of c/l Old York Rd, 7th Election District,
3rd Councilmanic

Legal Owners: Donald Kincaid and Diane Miller

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-431-XA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of May, 1999, a copy of the foregoing Entry of Appearance was mailed to Legal Owners Donald L. Kincaid and Diane L. Miller, 19705 Graystone Road, White Hall, MD 21161, Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: May 5, 1999

TO: Larry E. Schmidt
Zoning Commissioner

FROM: James H. Thompson - CF
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 431
PETITIONER: Donald L. Kincaid and Diane L. Miller

VIOLATION CASE NO.: 99-0003

LOCATION OF VIOLATION: SE/S Graystone Road, 150' +/- SW of centerline
Old York Road (19705 Graystone Road)
7th Election District

DEFENDANT(S): Donald L. Kincaid and Diane L. Miller

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME

ADDRESS

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/cf/lmh

99.431.XA



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 5.6.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 431

JCM

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Ref Ex 2A

To: Baltimore County Dept. of Permits and Development
Management

From: Donald L. Kincaid
19705 Graystone Rd.
White Hall, MD 21161
T/P# 410-343-1302

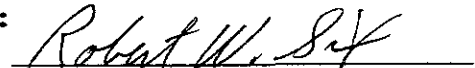
Subject: Application for a Fancier Kennel License

I, Robert W. Six, of 19703 Graystone Rd., White Hall, MD 21161, T/P# 410-357-5224, support Mr. Kincaid's application for a Fancier Dog Kennel License located on his property at 19705 Graystone Rd., White Hall, MD 21161.

Witness:


Donald L. Kincaid

Signed:


Robert W. Six

Dated: 4-6-99

2B

To: Baltimore County Dept. of Permits and Development
Management

From: Donald L. Kincaid
19705 Graystone Rd.
White Hall, MD 21161
T/P# 410-343-1302

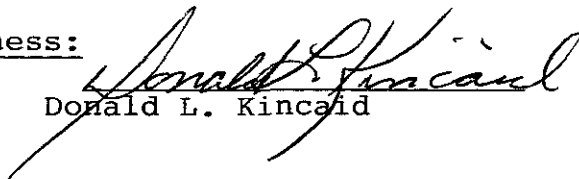
Subject: Application for a Fancier Kennel License

This affidavit is in support of permission to have my dog kennels located within 14 feet of the property line belonging to Mr. Eldon C. Slade, 19735 Graystone Rd. White Hall, MD 21161, T/P# 410-357-8497.

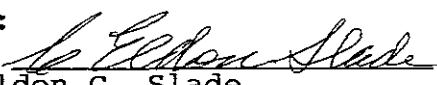
I, Eldon C. Slade, grant permission to Donald L. Kincaid of Graystone Rd. White Hall, MD 21161 to keep and maintain his dog kennels at the present location next to my property boundries.

I further state that I support Mr. Kincaid's application for a Fancier Kennel License.

Witness:


Donald L. Kincaid

Signed:


Eldon C. Slade

Dated: 4-6-99

R.C. 2

N 134,000

SITE

431

POND

N 133,000

R.C. 2

N 666,000

NE 34 A

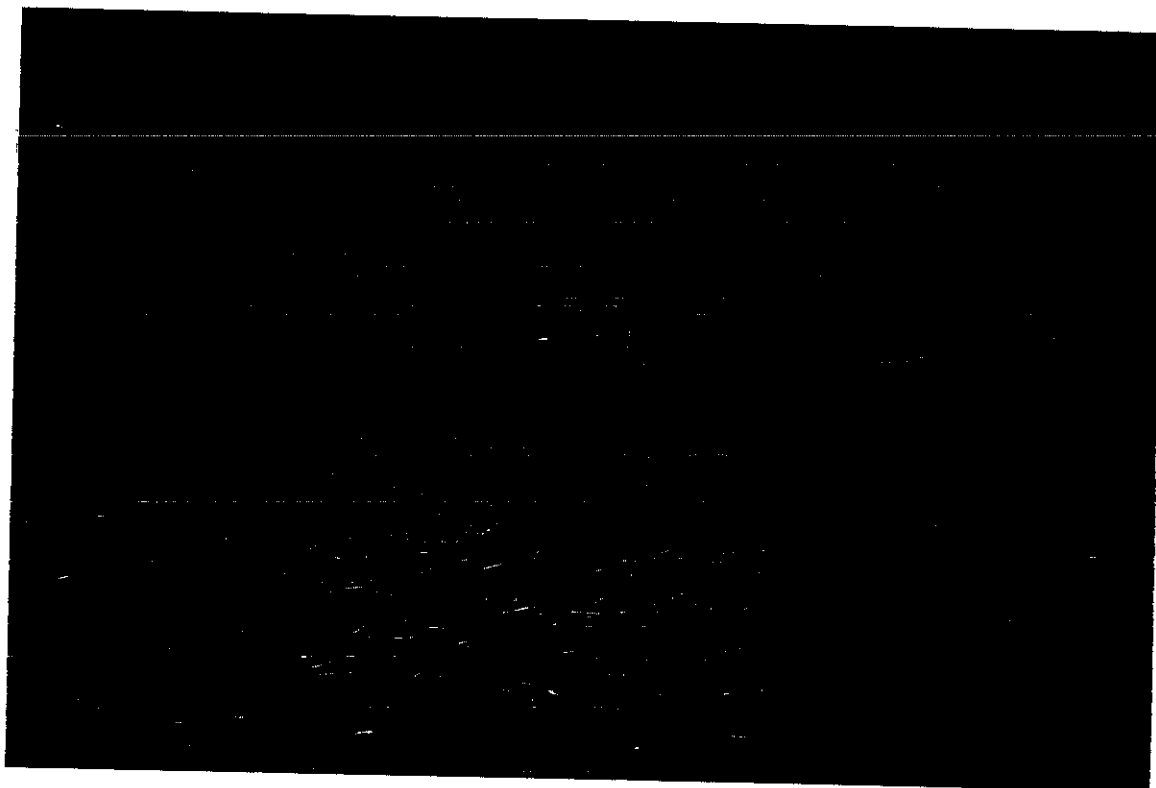
99-431-XA

(SHEET N.E. 34-B)

99.431-XA

From kennel to lake

3A



Near kennel to Six residence.
Our house actually fully blocks
view of kennel if photo had been
taken from kennel 3B

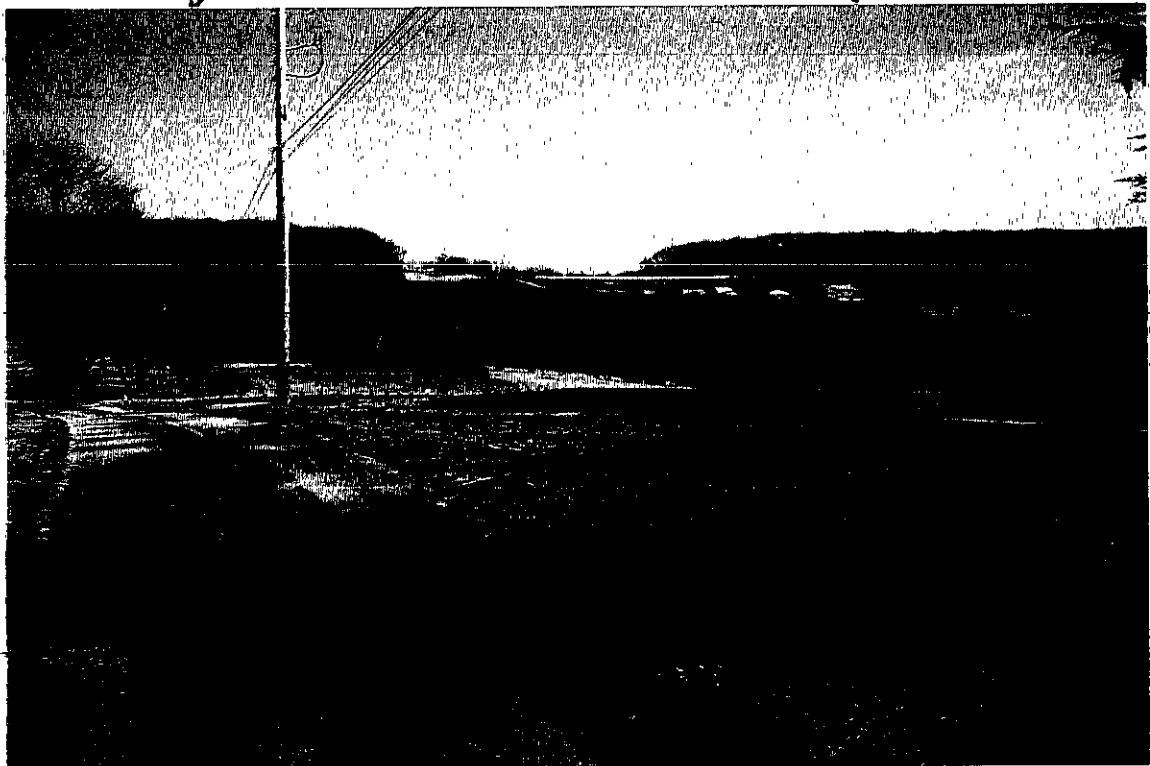


Distance from kennel up to road

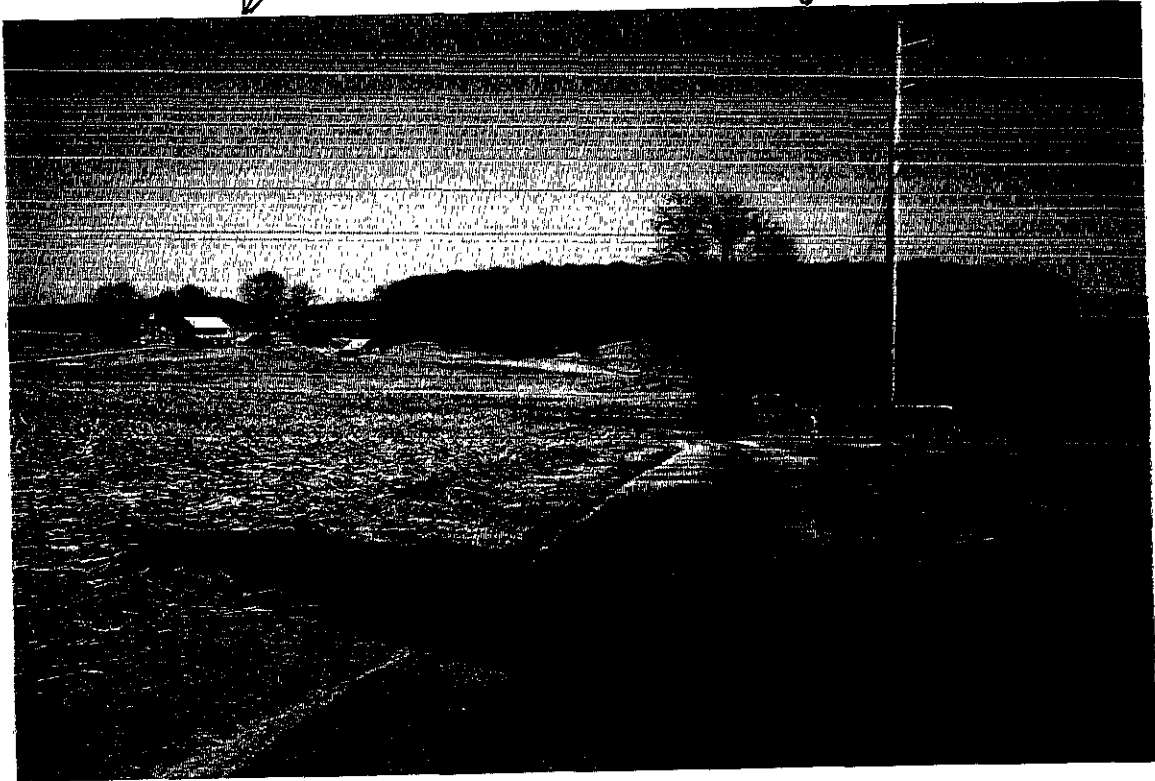
JC



Distance between Six residence
and kennel



Distance between our kennel
and Slade residence



Slade
← view straight back shows
only residence beyond wood lot →

